

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

R.J. FUTURE, LLC,

**Plaintiff,**

V.

**CIVIL NO. W-24-CV-00113-ADA**

**ALLIED PROPERTY AND CASUALTY INSURANCE COMPANY, DEPOSITORS INSURANCE COMPANY, NATIONWIDE MUTUAL INSURANCE COMPANY, PINNACLE INSURANCE COMPANY, INC.,**

## **Defendants.**

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland. ECF No. 28. The report recommends Plaintiff's Motion to Remand (ECF No. 5) be **GRANTED**. The report and recommendation was filed on August 15, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Defendant Allied Property and Casualty Insurance Company (Allied) filed objections on August 29, 2024. ECF No. 31. The Court has conducted a *de novo* review of the motion to remand,

the responses, the report and recommendation, the objection to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

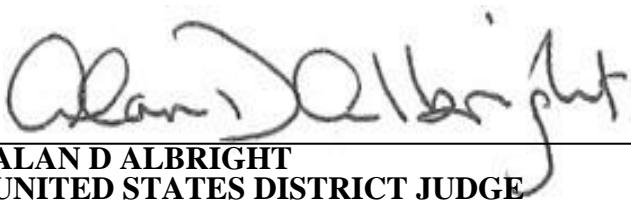
**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland (ECF No. 28) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant Allied's objections are **OVERRULED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Remand to State Court (ECF No. 5) is **GRANTED** in accordance with the Report and Recommendation.

**IT IS FINALLY ORDERED** that the case be **REMANDED**.

**SIGNED** this 6th day of September, 2024.



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**ALAN D ALBRIGHT**  
**UNITED STATES DISTRICT JUDGE**